

# **DECISION RECORD**

## **LITTLE MOUNTAIN ACTIVITY PLAN AND ENVIRONMENTAL ASSESSMENT**

### **I. DECISION**

It is my decision to approve the Little Mountain Activity Plan and Off-Highway Vehicle (OHV) Route Designations (Alternative 1, Proposed Action) with the modifications to the plan and environmental assessment (WY020-EA05-49) as noted in Appendix 2 of the EA and modifications to the route designations as shown the Little Mountain Final Travel Management Map. This decision implements the ORV decisions that were made in the Cody Resource Management Plan (RMP) and carries forward management objectives from the Cody RMP that are relevant to the Little Mountain planning area. This authorization will be granted under the legal authority of the Federal Land Policy and Management Act, subject to the standard stipulations and mitigating measures included in the proposed action.

### **II. ALTERNATIVES CONSIDERED**

Alternative 1, the Proposed Action would approve the Little Mountain Activity Plan and associated route designations, as shown on Map 1, and management actions as described in the plan.

Alternative 2, the Resource Protection Alternative would approve the Little Mountain Activity Plan and associated route designations, as shown on Map 2, and management actions as described in the plan.

Alternative 3, the Access Alternative would approve the Little Mountain Activity Plan. In this alternative, all routes shown on Maps 1 and 2 would be designated as "Open to motorized vehicles", the management actions described in the plan would be approved with the exception of the closed routes and actions related to closing the routes.

Alternative 4, the No Action Alternative would be a continuation of the current management situation.

### **III. RATIONALE**

My decision to approve the Little Mountain Activity Plan and Off-Highway Vehicle (OHV) Route Designations is based on the following:

The Cody RMP management objective for Off-Road Vehicle Management is to maintain or enhance opportunities for ORV use while protecting or avoiding adverse effects of vehicular travel on other resource values. Alternative 1, the Proposed Action, as modified, would be in conformance to the Cody RMP stated objectives for management.



The Cody Resource Management Plan (RMP) Off-Road Vehicle (ORV) decisions designated a majority of the 69,044 acre Little Mountain planning area as "limited to designated roads and trails." The ORV decision for 5,297 acres in the southwest portion of the Little Mountain planning area is "limited to existing roads and trails", and the ORV decision for the 160 acre Five Springs Falls ACEC is "closed to vehicular use". The management actions in the Activity Plan outline a specific course of action to implement the decisions on-the-ground.

Management of OHVs on BLM administered public land, in accordance with 43 CFR 8340, is necessary to address public and administrative access needs, protect resources, promote public safety, and minimize conflicts among the various uses of public lands. The proposed action provides a balance between motorized and non-motorized uses of the public lands. I have also determined that all practical mitigation measures to avoid or minimize environmental damage, while still providing a range of recreation opportunities and access have been incorporated into the proposed action.

Implementing the activity plan and route designations will result in a clearly defined road network that is understandable to the public, provides needed access, does not cause resource degradation, and is enforceable.

## **V. APPEALS**

This decision may be appealed by any adversely affected party to the Interior Board of Land Appeals, in accordance with the regulations contained in 43 CFR, Part 4, Subpart E. If an appeal is filed, the notice of appeal must be filed with or delivered to the Cody Field Office, P.O. Box 518, 1002 Blackburn Avenue, Cody, Wyoming, 82414 within 30 days of receipt of the decision in accordance with 43 CFR Part 4. In filing a Notice of Appeal, you are required to provide a complete statement of the reasons why you are appealing. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR Part 4 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor at the same time the original documents are filed with the Cody Field Office, P.O. Box 518, 1002 Blackburn Avenue, Cody, Wyoming, 82414. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

### **Standards for Obtaining a Stay**

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) the relative harm to the parties if the stay is granted or denied;
- (2) the likelihood of the appellant's success on the merits;
- (3) the likelihood of immediate and irreparable harm if the stay is not granted; and
- (4) whether the public interest favors granting the stay.

Michael J. Blymyer  
Michael J. Blymyer, Field Manager, Cody

31 October 2006  
Date

## FINDING OF NO SIGNIFICANT IMPACT (FONSI)

I have reviewed this environmental assessment (WY-020-EA05-49) including any analysis of potentially significant impacts. I have determined the proposed action, Alternative 1 – Approve the Little Mountain Activity Plan, with the modifications to the plan and EA as noted in Appendix 2 of the EA and modifications to the route designations as shown on Map 3: Final Little Mountain Travel Management Map, with the mitigating measures included in the proposed action will not have any significant impacts on the human environment and that an Environmental Impact Statement is not required.

Authorized Officer Michael J. Blymyer Date 10/31/06  
Michael J. Blymyer, Field Manager, Cody